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Subject: Illinois' 2003 BR FR notice comments

Federal Register Notice dated March 18, 2003

BRS 2003

Illinois comments

Illinois supports removing the radioactive code from Form GM and WR, as it is redundant but seldom used data. However, we do not support any of the other recommendations in this notice, as described below.

Form GM and WR: Country of Origin: Illinois has always required Generators to supply out of country facility names and addresses, and use IEPA ID numbers. Facilities are required to supply similar information for generators. Use of FC followed by country postal abbreviation in the federal number spaces has been more than sufficient for our data needs. The solution suggested by Ohio, for numbers to be assigned for the purpose of the BR report, seems to be a workable solution. However, we object to the method used in the BR Notice to attempt to handle this perplexing but limited problem.

Illinois has three companies that are importers/exporters and they are also TSDs. Requiring them to use their own federal number for destination facility on Form GM and for generator on Form WR is going to require considerable explanation and data manipulation for anyone to be able to interpret the data correctly. Most people will incorrectly assume the waste was generated and managed on-site and that the company did not complete the forms correctly.

These companies accept waste from both domestic and foreign companies and treat it in some manner. Residuals are then shipped to other domestic companies and companies in Canada for further management. Requiring country of origin on Form GM for this is not even possible, as the waste is now a residual and is commingled with many other generators' wastes. This scenerio does not seem to have been

considered in the development of this attempted solution.

There are very few waste streams in Illinois that are transferred directly, and virtually no "generator of record" where the waste is not managed at some point in Illinois, therefore adding Country of Origin to GM Form will be of no benefit and instead may adversely affect data quality if incorrectly completed. (We can think of just two instances in the past 20 years where an Illinois "generator of record" for a foreign entity had to complete a report, and these were due to problem situations, not normal operating activities.) We question just how many waste streams are involved nationwide in the situation for which this specific "solution" was designed.

Revisions to Site ID Form:

Changing the Regulated Waste Activities from check boxes to Y and N: Illinois has not identified a problem in the data that was completed, and believes this is an increased paperwork burden to attempt to solve a limited problem. This should instead be handled by better instructions on the form itself and in the instructions.

Adding facsimile (fax) phone number and electronic mail (e-mail) address for Site Contact Person: Given the turn-over rate with Contacts at regulated entities, we question the need for this information to be entered into a national database. We do see value in having the information on the form, for the limited purpose of being able to verify data on the form. However, we find that even six months after the BR was signed the contact person may no longer be employed at the company, their company has changed all e-mail addresses, or people have physically moved within an office so fax numbers are no longer valid. Therefore, submitting the data to National Oversight after QA/QC is done will add data elements of little or no use. Our recommendation therefore is to include it on the form but not to include it in RCRAInfo or BRS.

Completion of the Entire ID Form:

(1) Approximately 20% of the calls received for the 2001 reports in Illinois were "How is owner/operator defined for this report?" Therefore before developing more stringent requirements for completion of data, it is imperative that more understandable definitions and explanations be written for the instructions. For example, company buy-outs, plant-level buy-outs, stockholder changes, mergers, spin-offs, inherited by family member, and many other examples were all questioned and should be explained in the instructions before this data element can be required.

(2) We believe requiring full date for owner/operator is not reasonable, nor does there seem to be sufficient needs for USEPA to request it. While it may be important for recent company owner/operator changes, what is the value for companies that have been in existence for many years, including some over 100 years? Could the entire date be required if it is after 1-1-2000, but if prior to that ask for only a year? That would seem to be a fairly easy edit, and could be explained easily in instructions, and should supply adequate information.

Note that about 20% of calls received for the 2001 reports in Illinois concerned date: "what date do I use - - incorporated, licensed, built, operational, generating waste, etc" or "what if it was long ago and I don't know?" One person even said, "I know it was before the Civil War but I don't know the year, and I've asked others who also don't know." Better instructions as well as more reasonable expectations would help.

(3) Another one-third of the calls were for explanations of Owner/Operator type, so before requiring this field be completed, better descriptions are needed.

(4) While we acknowledge there may be some validity to require EPA Waste Codes on initial notifications, we believe it is redundant as well as a significant paperwork burden to require them on the BR. It would be better to instead have a routine at National Oversight level that would compile the codes used on Form GM and Form WR, using that to update the relevant portions of the BR Site ID Form if it is left blank by the regulated company.